



01-24-02

# UTILITY CONTINUATION-IN-PART PATENT APPLICATION TRANSMITTAL

(Only for Continuation-in-Part applications under 37 CFR 1.53(b))

JC868 U.S. PTO

10/054150



Attorney Docket No.: 1604-316-CIP

Inventors: Robert J. Smith of 1285 N. Cedar Brook Road, Boulder, Colorado 80304

Express Mail Label No.: EL 767781299 US

Title: "PROCESSING OF MULTIPLE WAVELENGTH SIGNALS TRANSMITTED THROUGH FREE SPACE" (As Amended by First Preliminary Amendment filed herewith)

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

This is a Continuation-in-Part application of pending prior application No. 09/339,316, filed June 23, 1999. This application also claims priority from U.S. Provisional Patent Application No. 60/264,079 filed on January 24, 2001. The entire disclosures of the prior application and provisional application mentioned above are considered to be part of the disclosure of the accompanying application and are hereby incorporated by reference.

Enclosed for filing with the above-identified utility patent application, please find the following:

1. ☒ Specification (Total Pages of Text, including Abstract and Claims: 56)
2. ☒ Drawing(s) (35 USC 113) (Total Sheets:8) ☒ FORMAL ☐ INFORMAL
3. ☒ Oath or Declaration (Total Pages: ) ☒ Signed ☐ Unsigned
4. ☒ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
5. ☒ Assignment Papers (cover sheet & document(s))
6. ☒ Power of Attorney
7. ☒ Information Disclosure Statement (IDS/PTO-1449)
8. ☒ Copies of IDS Citations (Number of References: 5)
9. ☒ Preliminary Amendment
10. ☒ Return Postcard (MPEP 503) (should be specifically itemized)
11. ☒ A check in the amount of \$1,130.00 is enclosed.

## FEE CALCULATION:

	(COL. 1) NO. FILED				(COL. 2*) NO. EXTRA		SMALL ENTITY			LARGE ENTITY	
							RATE	FEE		RATE	FEE
BASIC FEE:								\$370.00	OR		\$740.00
TOTAL CLAIMS:	37	-	20		17		X \$9 =		OR	X \$18 =	\$306.00
INDEP. CLAIMS:	4	-	3		1		X \$42 =		OR	X \$84 =	\$84.00
MULTIPLE DEPENDENT CLAIMS							+ \$140 =		OR	+\$280 =	\$0.00
*IF THE DIFFERENCE IN COL. 2 IS LESS THAN ZERO, ENTER "O" IN COL. 2.							TOTAL:				\$1,130.00

**OTHER INFORMATION:**

1. ☒ The Commissioner is hereby authorized to debit any underpayments or credit any overpayment to Deposit Account No. 19-1970.
2. ☒ The Commissioner is hereby authorized to charge all required fees for extensions of time under §1.17 to Deposit Account No. 19-1970.
3. ☒ Correspondence Address:

Douglas W. Swartz  
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5. ☒ Customer No: **22442**

Respectfully Submitted,

SHERIDAN ROSS P.C.

Douglas W. Swartz

Date: Jan. 21, 2002

Douglas W. Swartz

Registration No. 37,739

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

SMITH.

Serial No.: Not Yet Assigned

Filed: Herewith

Atty. File No.: 1604-316-CIP

For: "PROCESSING OF MULTIPLE  
WAVELENGTH SIGNALS  
TRANSMITTED THROUGH FREE  
SPACE" (as amended)

Assistant Commissioner for Patents  
Washington, D.C. 20231

) Group Art Unit: Not yet Assigned

)

) Examiner: Unknown

)

) REQUEST FOR NON-PUBLICATION AND) CERTIFICATION UNDER 35 U.S.C.) 122(b)(2)(B)(i)

)

"EXPRESS MAIL" MAILING LABEL NUMBER: EL767781299US  
DATE OF DEPOSIT: January 21, 2002

)

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
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UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO THE ASSISTANT COMMISSIONER FOR  
PATENTS, WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: Angela P. DavisSIGNATURE: 

Dear Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C.122(b).

*Applicant understands that this request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application upon filing. Applicant also understands that they may rescind this nonpublication request at any time. If Applicant rescinds a request that an application not be published under U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed. If Applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the Applicant understands that they must notify the U.S. Patent Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).*

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

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